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You're the Top, You're Cellophane

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The Res Gestae

Vol.35 No.16

The University of Michigan Law School

February 11, 1987

Phid House Faces Foreclosure

By Reid J. Rozen

One of the directors of Michigan's Kent Chapter of Phi Delta Phi met with the members of the law fraternity last Friday and told them that, without a substantial increase in rents, the directors would be forced to sell the Phid house.

Phi Delta Phi, the first legal fraternity in the nation, was founded at the U of M Law School in 1869, and the house, at the corner of Madison and Thompson streets, has been the home of the fraternity since 1915, but it is facing a very contemporary problem: the tort liability crisis. With the rising cost of insurance, the directors of the fraternity, all alumni of Phi Delta Phi, faced the possibility of being held personally liable for potential claims against the fraternity. The direct result of this situation was that nine of the twelve directors resigned rather than risk

a judgment against them.

The increasing costs of insurance, coupled with escalating maintenance expenses connected with the house, led the directors, in early 1986, to consider selling the residence. Bill Holland, who was president of Phid House at the time, stated that the directors had trouble keeping up with the insurance payments, and feared a rate hike in May. They were precluded from selling the house, however, when the fraternity committed itself, in the spring of 1986, to housing contracts for the 1986-87 school year.

Last Friday, February 6, Dick May, one of the remaining three directors, informed a meeting of the Phid house residents that rents would need to be raised to \$245 a month, up from the current \$195 rate. Although May intimated that the increase would need to take effect

immediately, the additional money could be raised only on a voluntary basis, as the housing contract does not allow for the rent adjustment. May, when contacted by the RG, refused to comment on his role in the affair.

Even if the money is raised, Bill Carney, vice-president and treasurer of the fraternity, noted "there's no guarantee, if the insurance goes up, that that will be sufficient" to keep the house from being sold. The directors have already engaged in conversations with the University of Michigan, and it is thought that the university is interested in acquiring the property.

Right now, the board of directors and the residents appear united in seeking to keep the fraternity from having to sell the house. "A lot of people are committed to keeping the house open and are willing to

make the sacrifice," stated Carney. Added Holland, "we're the last law fraternity in the country with a house, so it would be a real shame to see it go."

**Special Protest
Pullout!**
See inside...

LSSS & Dean: Write to Ford

by Ruth Zimmerman

Concerns about the general lack of cleanliness in Hutchins Hall have been expressed by students. This week, the senate discussed ways to help alleviate this problem. It was pointed out that the issues of refurbishment, general physical care of the building (painting, repairing holes in the walls, etc.), and routine janitorial services (sweeping floors, picking up trash, etc.), must be addressed separately. All but the last category would require large amounts of funding, and the possibility of contacting alumni about the sorry state of the hallowed halls with a view toward generating funds was discussed.

The Domino Dot contest is progressing slowly, and a representative from LSSS will be on hand at dinnertime in the Lawyer's Club to solicit support for the drive. The Senate urges students to remember the goal of a new TV for the Lawyer's Club Lounge!

LSSS wishes to reassure the student body that the disruptive people who were present at the protest against Ed Meese last week were not law students. Jerry Ford, fortunately was not hit by the eggs that were hurled by some demonstrators, (though some of his secret service men were). Dean Sandalow has suggested that the groups that organized the protest write to Mr. Ford; not to back down from their position, but to explain to him that the protest was planned and advertised as a peaceful, educational forum, and that the Law School students did not advocate the violent tactics used by these disrupters.

The Law School volleyball and basketball tournament will be held next Saturday from 8:00 to 1:00, and from 4:00 to 7:00 p.m. Registration for teams is Tuesday thru Thursday this week. Coed teams will be accepted and are encouraged. The fee is \$20.00 per team.

Berns Stern On Rights

By Jenifer Urff

A lot of people are paying lip service to fundamental human rights, but it takes more to establish rights than a simple proclamation, a nationally-known political scholar told Michigan law students last Thursday.

A "right" must have some foundation in public opinion and the Constitution before it can have any substantive meaning, Walter Berns told an audience of about 50 people who came to hear his lecture on "Taking Rights Seriously."

Berns, a professor at Georgetown University's Department of Government, served as an alternate U.S. representative to the United Nations Commission on Human Rights in 1983. His law school lecture was sponsored by the Federalist Society.

"Rights are readily declared, but something in addition to the declaration is needed before they can be enjoyed -- before they can be taken seriously," Berns said.

And that something -- public support -- is best gained through the articulation of rights by the people's representatives in Congress, and not by the "creation" of rights by an activist court, he said.

Berns blasted legal philosopher Ronald Dworkin for Dworkin's belief that men and women are entitled to an equality of "concern and respect."

"Can there be such a thing as a...right to be respected?" Berns argued. Although government should leave people alone to do what they want to do, "the



Walter Berns and Ann Coulter: The 'Right' Stuff.

government can't expect me to respect the person who spends his life playing pushpin."

Berns emphasized that nature created inequality of faculties among people, and the most that can be expected of government is to allow its citizens the "free use of their diverse and unequal faculties for acquiring property and pursuing their own conception of happiness."

"That argument is reasonable because we have reason to believe -- and by this time to know -- that men and women will give their consent to a government that promises to secure that right," he insisted.

"Well-endowed" men and women will not consent to a government that takes away their higher status, he added. "Why should those who have worked to gain

more give their consent to a government that promises to deprive them of what they have gained?"

Despite Berns' argument that a good government allows people to be let alone, he was critical of the court-originated right to privacy.

Berns cited *Bowers v. Hardwick*, the 1986 Supreme Court case upholding a Georgia statute making homosexual sodomy a criminal act, as one example of the Court's realization that a ruling having no basis in public opinion and the Constitution has no legitimacy as a "right."

"The Constitution does not...recognize a general and abstract right to be let alone," he said, adding that there is no foundation for the "right" to engage in "particular forms of private, consensual sexual activity."

Photo By Tom Knox

Res Gestae

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Building Momentum

RECENTLY, IN AN INTERVIEW with the *Res Gestae*, Assistant Dean Jonathan D. Lowe referred to plans for the renovation of classrooms in Hutchins Hall. We are delighted with the prospect of having work done on the rooms, but we wonder why the administration took so long to get around to it.

The basic architectural scheme here at the law school is Gothic, and the conditions in some of the classrooms reflect this fact: anyone taking a test in Room 100, for example, must surely have been reminded of the Dark Ages. Such an experience can only compare to taking Fall semester final exams in Room 150, the windows of which seem to have more holes than it would take to fill the Albert Hall. Although we acknowledge that some students go into their exams "cold," they shouldn't come out freezing.

The deterioration in Room 250 has always intrigued us: the wall to the left of the chalkboard bears what appear to be signs of water damage, probably left there from the great flood. Only recently was a heating grate fitted over the yawning hole in that wall, thus ending speculation that it served as the entrance to a secret passageway leading to the faculty lounge on the third floor. On the floor to the left of the podium, placed together in ironic juxtaposition, are located portraits of Abraham Lincoln and Chief Justice Roger Taney. They've been there, propped up against the wall, for "as long as the mind of man runneth not to the contrary."

The heating systems in the classrooms, especially in the late fall and early spring, wage a constant battle with the elements and with students. As soon as the temperatures outside climb above 40° the stifling heat inside forces the Hutchins inmates to open the windows, which in turn causes the heat to kick into overdrive. Those who have located themselves in front of the heat grates consequently melt while the luckless ones in the vicinity of the windows curl up into fetal positions in an attempt to conserve precious body heat.

In other words, there are problems with the classrooms, quite apart from the classes themselves, which need work. Renovation, which is long overdue, should remedy these problems. But we hope that, in curing the illness, the medicine doesn't kill the patient. Room 116 is an example of how not to renovate the other Hutchins classrooms. Although the most modern classroom in the school, its dull, pre-fab interior, devoid of windows, make it particularly drab and uninteresting. Considering the classic exterior of the law quad, the interior should be equally special, albeit habitable too.

Opinion

Bullhorns Not Persuasive

By Kim Stelter

I guess I really used to be naive. I once thought "left" and "liberal" were synonymous. But I've since been educated by my fellow U of M students.

I still know what a liberal is: someone who is open-minded, someone who supports individual rights. Webster's uses the words "broad-minded" and "tolerant." But left is something different, or at least it is on this campus. Left is violent. Left is intolerant. Left is suppressive.

This lesson has been brought home to me again and again by events on campus. Last year, for example, George Bush was unable to speak at a Peace Corps commemoration. Not that what he had to say was offending to anyone, but because he once was the director of the CIA. Certainly there have been abuses of the CIA's power, but I wasn't aware of any in which Bush was involved. (And what about our principle of innocent until proven guilty, or our abhorrence of guilt by association?) If George Bush had engaged in illegal activities, the protesters could have informed us of the abuses, but it seemed clear to me their real purpose wasn't to inform but to usurp attention from the event and bring to focus their own causes, however unrelated to the Peace Corps or George Bush. And because Bush was associated with the CIA, I guess that deprives him of his freedom of speech, and lowers him to the level of a second-class citizen, always to be despised and drowned out whenever possible. And when shouting and drowning out are not enough, eggs, snowballs, and broken windows always help get the message across.

I'm saddened that the law school was associated with this latest incident, regardless of who actually threw the eggs or smashed the windows. Some organizers of the protest seemed surprised by the turn of events. Perhaps this shows a naivete greater than my own. The Federalist "pond scum" (leftist intolerance again?) have been attacked for putting up posters that were misleading about the topic to be discussed. Well, at least they included the topic. I was told beforehand that the Meese protest would include several speakers, would be peaceful and dignified, and would probably disperse before the "guests" arrived. Yet posters inviting people to "unwelcome Meese" and his "sordid cast" with no mention of any speakers or other

educational purpose could hardly be intended to bring out a calm, dignified crowd, nor could the chants, catchy slogans, and raised clenched fists be expected to lead to an atmosphere of information and interchange. I venture that the organizers got what they deserved, if not expected, while other dignitaries who weren't even entering the same door as Meese got what they did not deserve, i.e. eggs, shoving, and blockades.

But perhaps the most offensive and inexplicable behavior has been the destruction of the literature of more moderate or conservative groups. The Coalition For Democracy in Latin America, a moderate group which supports neither the Sandinista government nor the Contras, recently had over 1400 of its first newsletters destroyed, while the conservative *Michigan Review* has been destroyed frequently.

Destruction of newsletters or position papers is perhaps the most invidious suppression of free speech. And while this destruction is carried on by both the left and the right at times, it seems as if attention is only brought to the destruction of the more "fashionable" causes. I too deplore the vandalism of the Gay/Lesbian bulletin board, and the dismantling of the shanty, and I'm glad when people denounce these practices. But I worry about the message we give when graffiti on the Federalist board goes unnoticed, when conservative flyers are destroyed without protest, and when whole stacks of moderate newsletters are tossed into wet trashbins and ruined without an uproar.

The message I get from the left is criticize, but don't improve—tear down but don't build up—drown out but never, never listen—and more paternally, don't let others listen either.

But in order not to be hypocritical myself, I would like to make my criticism constructive. If you don't like the speeches the Federalists passed out, pass out some of your own. I'd love to read them. If you don't like Pendleton's views, have a speaker come to talk about the gains achieved through affirmative action, and if you don't like Ed Meese (and frankly, I can understand that) take time to organize a symposium about his recent positions and why you disagree with them.

The way to change and persuade is to educate, not to drown others out.

Headbanger Visits Meese Protest

By Jocko Knappmann

Fear and Loathing on the Protest Trail...

Meese was coming here. So were Ford, and a few other notables, who would doubtless be accompanied by the usual retinue of local notables who frequent occasions such as this. Also planned was a protest, organized to let people who govern know what some of the governed thought about them.

Dammit, I thought. I wrote about Meese and protests last week. People are going to think I am hung up on this kind of stuff.

The protest was scheduled to kick off at 7 p.m. 6:45 found me putting on my overcoat and Converse Hi-tops and walking out into the cold. Wandering around, I noticed a few local police standing in random spots around the quad, really not doing anything. Now, if everybody is scheduled to get here at 8, you might wonder what the police are doing here at 7. It's not as if they were stopping people from coming in, or anything like that. I guess it's just another example of your tax dollars at work.

As for the demonstrators, there weren't too many of them either, just a handful of law students, mostly. They carried signs and joked with each other, waiting for things to kick off.

Eventually more and more people arrived at the demonstration, and the area in front of the law library

was impassable. Some undergrads looked pretty frustrated because they couldn't get in the Reading Room, but I for one didn't feel sorry for them. The yelling started in earnest, and fiery speeches (which were pretty persuasive and therefore wasted on a group pre-disposed for the most part) fired up the crowd.

Some of my favorite picket signs:

Lefts for Rights

Meese flunked Constitutional Law

Corporate Lawyers Hate Meese Too

Yale Kamisar for Attorney General

and my personal favorite:

Smash the State—and Have a Nice Day

The crowd consisted of law students, other students, and a few random radical types who probably weren't students, but think things haven't changed in the 20 years since they were. There were Punks who probably would rather have been protesting in England and some people who gave the impression that they were going to protest no matter where they were at.

I wandered the perimeter of the Law Quad again. Same police, still not doing anything other than standing there looking stupid. I thought about the concept of visible deterrence to potential criminals, but quickly decided that this just wouldn't do it. Trying to

see \$5.95 page THREE

Res Gestae

Visiting Dignitaries Dine On Wine at \$5.95 a Bottle!

continued from page two

enter the Lawyers Club, I was stopped by a security person who asked where I was going. I told him downstairs to check my mail. He let me in. I remembered what we had been promised, no disruption in Club services. The person behind me also said he wanted to check his mail, but he wasn't a law student. I thought about ratting on him, but decided not to help a process that doesn't even bother asking for i.d. cards.

No mail, which is usual. While waiting upstairs for a friend to come up, the same security guard came over and wondered why I was standing there. I told him, he left. I next saw this guard Saturday night in the basement of the Student Union while another friend of mine was vomiting into the sink, and he proved himself to be a very nice guy. Gave me suggestions for curing the flu and everything.

The organizers of the protest stress that this will be a peaceful demonstration. The crowd walks to line up on South U. and State, chanting things like "Piss on Meese, not in a cup" and "The people united will never

be defeated." They know Meese is at the Art Museum and want to make a statement.

I decide to make a statement too, so I go back to my room and turn on the light. My room is on South U and a poster of Cinderella in the window. Maybe he'll see it and know what I stand for.

The people coming from the art museum to the law quad are detouring around the crowd, which is now looking like a mob, and hence walk right at my Cinderella poster. The view from across the street is frightening. The people going to dinner look frightened as they detour around the crowd, and I for one don't blame them.

A group of people run into the mob, and somebody near me says it's Ford. There's a flurry of activity where he goes through. Meanwhile a different group of people try to outflank the crowd and get in the front door. Snowballs fly, and somebody says Ford got hit with an egg.

I walk up to the same front door, and a security guard won't let me in. "But my laundry is downstairs and my interview shirt is going to get wrinkled," I say.

No luck. So much for no disruption of services.

The protesters chant slogans, trying to disrupt the dinner. One even uses a megaphone. I get bored and go back to my room.

Later that night, I go inside the club. People are cleaning up. I see a group of empty wine bottles on a table. Glen Ellen Chardonnay, California, 1985. Proprietor's Reserve. Hell, if it's good enough for Ford to drink, it should be good enough for me. I see a bottle with some in it and drink it. It's okay, but only okay. Maybe I should have brought it to the proper temperature first. Oh well.

The coat racks have tags on them. Number 84 brought with them a hat, briefcase, and newspaper. This was written on the tag, too. Getting inside details like these set the crack reporters apart.

Two days later, I run across the same wine in Campus Corner, quite by accident. I think about Ed Meese jetting in from Washington and getting wine that costs \$5.99 a bottle. The food here always gets the last laugh.

No Free Will Available To Today's Woman

To the Editor:

I was, to say the least, surprised by Reid Rozen's letter in last week's *RG* about the use of women's bodies in advertising. I was particularly disturbed by his assertion that women display their bodies of their own free will. In Mr. Rozen's view, women are the eager victims of their own exploitation, freely choosing to bare all. This conception of free will, however, only works when each agent has an equal amount of power. Otherwise, you inevitably get coercion. This is a familiar argument, often used to refute the fairy tale notion of the free market place.

Mr. Rozen's world, where women freely choose to exploit themselves, is equally fictitious. This is not a world where men and women have equal power. Women earn 60¢ for every dollar earned by men. Men run the government, the courts, the business, and banks. Granted, women have made great strides in the last twenty years, but the power structure remains same.

Women obtain most of their power through men. Since many doors are closed to them personally, the only path to fame and fortune is on the arm of a man. Women are taught that it is their role in society to get a good man and keep him at all costs. It is not something

they do "freely," but often as a matter of economic necessity. It is also a matter of self-esteem, because marrying an important man is a major way women feel important in society. Devalued themselves, the most desirable alternative is to participate in the life of a man who runs things.

Because attracting a man is such a necessity, women have gone to great lengths to do so. I would like to describe some of the things women have done to themselves "freely" in order to attract men. There is an old Chinese custom called footbinding. In this practice, a baby girl's feet were wrapped tightly from birth, crushing the bones and deforming the growth of the feet so that they were only three inches big. Men found the deformed feet extremely erotic. They called the feet "lotuses" and any woman who expected to make a respectable marriage had to have her feet bound.

In the days of Scarlet O'Hara, women wore corsets bound tightly so they would have tiny waists, often measuring about thirteen inches. The corsets were painful and made breathing difficult. Women were prone to fainting due to the inability to get a deep breath. These women were considered delicate and dainty and were extremely attractive to men. The fainting spells were considered evidence of women's "delicate constitution."

Today college women are literally starving themselves to death with anorexia and bulimia. The causes of these diseases are extremely complex, but certainly one explanation is that today's fashion requires women to be unnaturally thin. According to one author on the subject, the "right size" for women has been decreasing yearly since 1965. Women literally have to rebel against their own biology in order to keep up with fashion.

I am not suggesting that men sit in an office somewhere dictating fashion that will disable women. I am saying, however, that women don't do these things for the sheer joy of them, of their own free will. Women go to great lengths to attract men precisely because they are not free. In this society they need men for survival and for self-esteem. The same is true for a woman modelling lingerie. She may be modelling because it is the only job she can find. Or maybe it is because she feels worthwhile when men look at her body. But it is not because she chooses to model as a woman who values herself as well as her body and to whom many options are available. It is not free will because in today's world, a woman's will is not her own.

Nancy Radner

Exploitation Through Objectification is the Argument

To the Editor:

As someone who thinks of herself as a realist, I must admit some surprise at how annoyed I became while reading Reid Rozen's article, "We Are All Objects After All." He misses the point made by the critics of degrading advertising, such as the "Feel the Velvet" sign. Perhaps worse, he also magnifies the most unappealing aspect of realism: its indolent, smug acceptance of the status quo.

The feminist argument is not about objectification nor exploitation alone, but about the two use *concurrently*. Women have been continually exploited *through* the objectification process. The separation of the two arguments avoids this issue.

All women are impacted by their traditional exploitation through the traditional objectification mode. Sexist offenses simply reinforce the Neanderthal mentality of some co-workers and co-students, and unfortunately, some bosses and professors, that women are to be gawked at, not conversed with. We all have to live with the seemingly

indestructible attitude that "No one with a nice body can be smart too." This is not an "emotional argument." It is a fact of life, just as the fact that it's a man's world is a fact of life. We can live with both facts; but don't expect us to stop shouting about it, or to stop trying to convince society to let go of stereotypes that hurt us.

Certainly, every human group meets obstacles. Still, Rozen's dismissal of female objectification as equivalent to that of law students or cabbies misses the point. If being a "fungible" law student carried with it a fraction of the stigma attached to being a "fungible" woman, I seriously doubt that 65% of the Michigan Law School population would be male.

The argument that submissive females "sell" is too easy. Are we all so indoctrinated that we cannot recognize values that might outweigh the Almighty Dollar?

Rozen is right about one thing. Sexism will continue. So will racism, xenophobia, homophobia, and countless other graphic illustrations of the human

impulse to take advantage of those who are helpless, weaker, or just different—as long as We outnumber Them.

But I'd like to think that those of us who are privileged enough to have the luxury of thinking about ideas for a while could take some of the lofty principles we absorb in the ivory legal towers, and apply them in our daily lives.

The danger in being a realist is in losing the impetus to be self-examining. Realism carries with it the responsibility to change the things we can.

Melissa Maxman





Meese Comes to Michigan

Up Close And Personal To A Protest

Story and Photos By Tom Knox

Wednesday, Feb. 4, 7:30 p.m. As I walk through the 'A' section archway into the law quad, I can hear the echo of hundreds of protesters' cheers and chants. I round the corner and see a throng of people crowded around the library's main steps.

I hurry toward the demonstration, camera in hand. I am dressed in my best grey interview suit; Reid Rozen told me I'll have access to the Lawyer's Club lobby during Meese's arrival there, and I have decided that a suit and tie will go over better with the Secret Service boys than my usual jeans and sweatshirt.

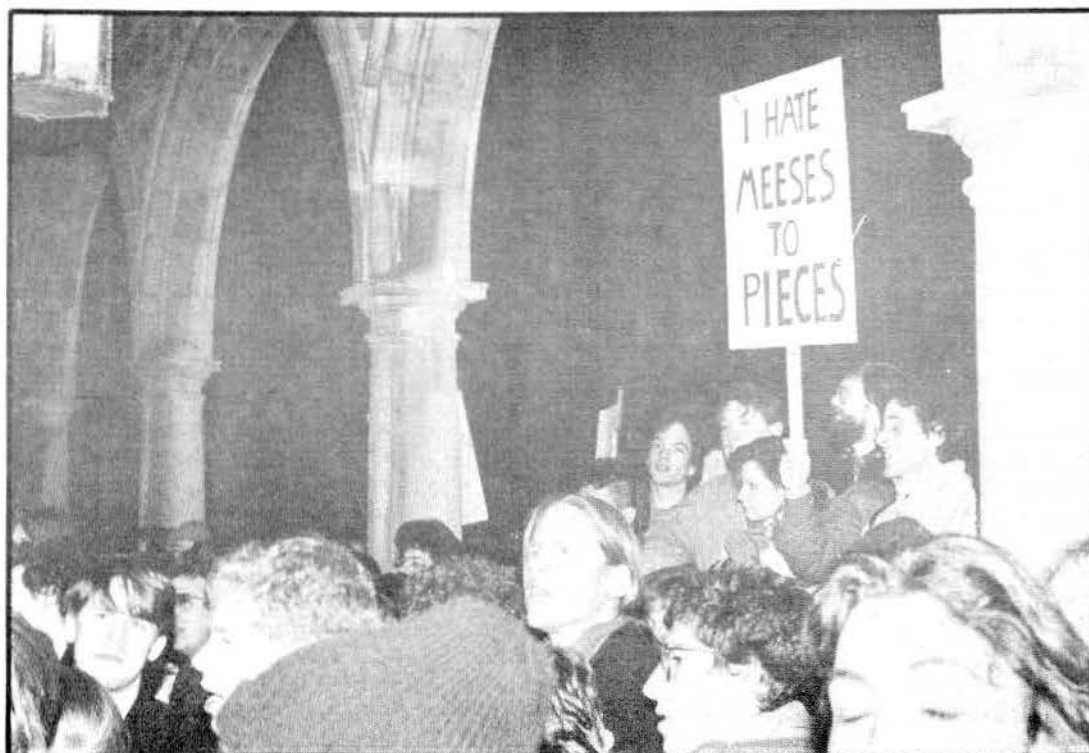
As I get closer to the commotion, I begin to feel strangely uncomfortable. At first I can't figure out why. Then, after a few minutes of mingling among the crowd and taking pictures, I realize that almost everyone I pass stares suspiciously at me. My grey suit and trenchcoat are the standard issue Secret Service uniform.

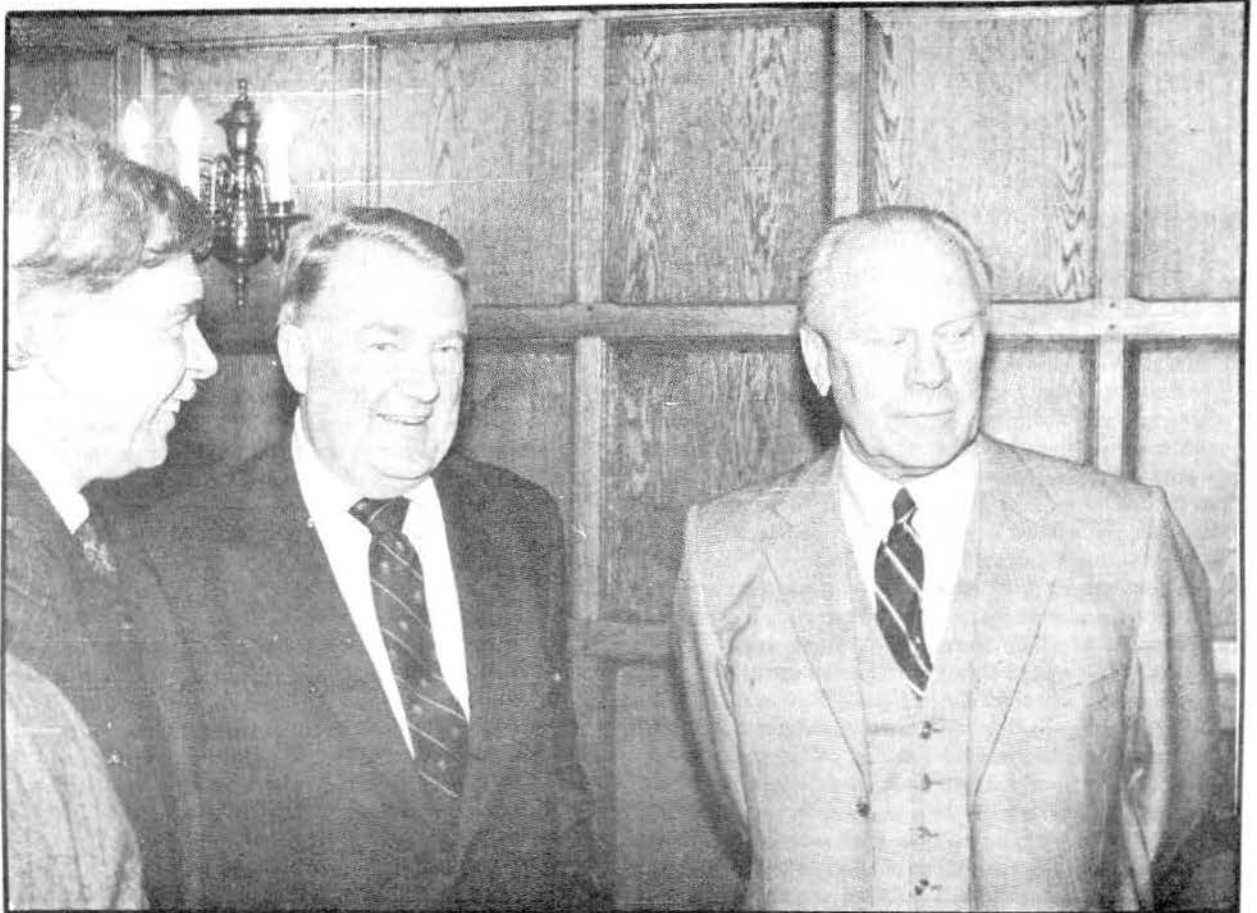
A woman strides up to me, pastes on a smile. "Excuse me," she says firmly, "Who are you taking pictures for?" I consider quipping "FBI, ma'am, and what did you say your social security number was?", decide against it, and instead give her my unassailable Res Gestae credentials. She walks away from me. I can't tell if she believes me.

I take photographs of the crowd, the signs, the speakers. I begin to regret having accepted this photo assignment; I want to be a participant instead of an observer, and I don't feel comfortable in this secret service suit.

7:50. I walk over to the Club to prepare for Meese's expected 8:00 arrival. On the way several trench-coated men with wires in their ears nod knowingly at me. I guess I look the part.

7:55. After convincing the guards at the door that I am allowed inside (I say, "I have clearance" and brush past them) I am pacing the lobby floor, waiting for some action. According to Diane Nafranowicz, I'll only be able to photograph these luminaries while they are hanging up





their coats. Not what I'd call an appealing photo opportunity.

8:00. The rally has moved from the library steps to just outside the law club lounge. The waiters and waitresses, students themselves, peer eagerly out the windows. "We're just tools, I guess," one says. "Yeah, I'm selling out for \$4.65 an hour," says another. "What if we all walked out? We could, you know; it would really screw things up." I wait for a response to that proposal, but there is none; instead, there's an awkward silence.

Nafranowicz bustles up, frantic. "Anybody that is caught waving out the window is instantly no longer working here," she threatens. The wait staff scatters. Diane looks pale.

8:05. The guests begin to arrive, mostly in couples. Some guests look genuinely relieved to have made it to the Lawyers Club safely. The chants outside are loud and regular now.

The guests are overwhelmingly white and mostly white-haired. The men are overstuffed and red-faced and tend to laugh and clap each other on the back a lot. The women are

anorectic in the style of Nancy Reagan. I sense a certain smugness in these people, a satisfaction that the rabble are left to freeze in the snow while the well-to-do enjoy a good dinner and cigar inside.

8:10. Here is Gerald Ford. He walks in alone (although I am told he had a phalanx of secret service men to escort him over here) and looks no different from anyone else, really. No glow, no electricity. Ford is just a guy who had a real interesting job for a couple of years.

8:12. Meese comes in with an entourage of influential-looking people. He's laughing and joking and doing a little back-slapping. The commotion outside seems not to have affected him; perhaps it has actually increased his mirth.

8:15. The guests begin to move into the lounge, which is set up as a dining room. According to Nafranowicz, this is the Forbidden Zone for me because (a) the secret service hasn't had a chance to look at my file, and (b) the guests don't want some obnoxious photographer popping a flash in their faces while they eat. The latter reason I can sympathize with, but the former makes me want to go in there anyway.

I go with the flow of the crowd. This is where my grey suit comes in handy; I blend in well. Soon I am at the Meese/Ford table, zipping off photos. The subjects are used to this game, and they stand obligingly still, managing to converse with one another while keeping their bodies turned toward the camera.

8:25. I am approached by a grim-looking woman. "Are you supposed to be here?" she asks. "Yes," I say, and start to walk away from her.

"Just a minute. This is a private party. You're not supposed to be here. Get out of here!" She is really angry. Her eyes scan the room for the Secret Service.

I take the hint. I amble toward the door; she follows close behind. I can feel her anger.

In the lobby, a television crew argues with the Secret Service about its right to be there. The Secret Service wins. I go outside, too.

The crowd is as large and vociferous as it ever was. Security men are two-deep around the doors. The chants continue. "Hey, hey! Ho, ho! Edwin Meese has got to go!"



Letters

Pornography Displays Women As Objects

To the Editor:

Mr. Rozen's editorial "We Are All Objects After All" *RG* Feb. 4, misunderstands the objections voiced about the lingerie night recently held at Dooley's. While I was not one of the picketers that evening I do find the Dooley's evening of fun objectionable. I do not advocate passing laws disallowing such events but I do appreciate any attempt to educate people as to why these events are offensive so that it will not be lucrative for local taverns to sponsor lingerie nights and the like in the future. I am not suggesting that these events will ever become less titillating, only that people may choose to forgo this stimulation in light of larger concerns. In a perfect world a Chippendales or a Jason's would allow men and women to enjoy viewing each other with one aspect of their personality, their sexuality, on display. There is nothing wrong with erotica (if these shows would fit that definition). But ours is not a perfect world. In our male dominated society I doubt there are many women who attend a Chippendales and believe "that is all men are good for." There are men, however, that attend the female counterparts to Chippendales who do believe that women are sexual objects and that is the extent of their abilities. I do not argue that all men attending these establishments hold this limited view but by attending they are participating in an event that reinforces a stereotype for all involved. Women of my generation have not been faced with the obstacles that confronted our mothers and

grandmothers. The removal of the blatant obstacles like denying the right to vote has not meant that all obstacles have been removed, only that they have taken more subtle forms. Women continue to be confronted with attitudes that reflect a one-dimensional view and one of limitation of our gender. Whether it is the subtle (and not so subtle) sexism in "old boy" professions like the law or the widespread violence against women in our society, anything that reinforces the stereotype of woman as sex object can be particularly frightening. It

is in this context, the context of our world and not a perfect one, that shows displaying women as sexual objects becomes objectionable. Hopefully as people begin to understand this they will choose to abstain from this form of pleasure and thereby lessen the demand for it. While you, Mr. Rozen, feel that you are particularly well-suited (due to your fondness for Canadian whiskey and lingerie nights) to address these issues, your letter indicates otherwise.

Susan Bragdon

Is Rozen Really Serious?

To the Editor:

I'd like to believe that Reid Rozen isn't being serious when he asks what "all the fuss" is about the sexual exploitation and objectification of women. ("We Are All Objects After All", *RG* 2/4/87) Granted, advertising by its very nature exploitive. Granted, every day we treat others as objects. However, Reid's analogy between Mother Teresa's cab driver and the exploitation of women simply doesn't work. I think Reid himself has missed the point here: in a patriarchal culture, sexual exploitation and objectification are the stuff of women's lives. At some point, the cabdriver can go home and stop being a cabdriver. In a male-dominated culture, however, women are never really allowed to get away from the

role of sex object—hence employment discrimination, pay inequality, rape. I don't agree that the male psyche, in its "state of nature," requires the objectification of women, and I know a fair number of men who resent being so characterized. Those who object to the lingerie night and the "Feel the Velvet" liquor sign do so because both are manifestations of a culture that defines women as sexual commodities. Surely it is difficult to eliminate the exploitation and objectification of women; however, the alternatives being what they are, I'm willing to try. If that means re-tooling our cultural assumptions about gender roles, so be it. The oppression of women is a high price to pay for a stiff shot of whiskey and a black lace negligee.

Marcia McBrien



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Res Gestae

The Legal Odyssey, a Herculean Feat

continued from page eight

would penetrate the great wall not with force but with flattery, and which, once inside, would prove the demise of the Lay stronghold. Recalling the much celebrated words of a desperate Layman, "The law is an ass," Legal leaders thought it possible that a tremendous wooden donkey left alongside a central sentry post might be interpreted by the Laymen as a peace offering and a symbol of humility. By dawn such a construct was thus placed, and at dawn no Lawyer troops could be sighted by the sentries, only the dark form of the Legal Ass.

In hushed tones word spread throughout the city; within an hour the dumb beast was rolled in, a multitude of Laymen eager to examine the curiosity, unknowing of the maleficent force within. No sooner had the inspection begun, however, when the force was unleashed: from a trapdoor in the rear of the animal climbed a single Lawyer, who strode boldly into the crowd's center, fire in his eye, nothing in particular to say. Many looked on in wonder, some fled.

Knowing good time must pass before the Ass would take its toll, the Lawyers remained patiently encamped a short distance from the city while the invasion developed. Develop it did: it was only a matter of minutes before the maxim "a town which cannot support one lawyer can support two" was to be realized; a second Lawyer was sent for and led into the confines immediately. Soon these two begot the introduction of yet more; within several hours the city attained a state of litigiousness not inferior to that the Lay troops had initially risen up against. But the onslaught did not climax here: carried along by its own frightful momentum it grew yet larger than the conflicts which fueled it, creating tumult of its own, culminating in a bold plan to sue whatever Lawyers remained outside for all they were worth.

Wrongful war was the allegation, and its implications manifold. Quickly realizing that virtually all laws were

violated by committing war, the Lawyers from within sought for the Clients reparations of all shape and size; damages were presumed, punified, projected, trebled and incredible, subject to the levying of a mere contingency fee, of course, and, finally, the death sentence was invoked. Invoked and not requested because there was no need for a trial: this was a novel Legal concept with pecuniary support; it could not fail. The Lawyers from without briefly considered the "all is fair in love, etc." defense, but rejected it upon realizing that for all ever to be fair would nullify the purpose of their existence, and so they acquiesced, tossing their wallets over the wall nobly before leaping off the nearest acropolis like so many lemmings.

Thus ended the epic transaction or occurrence, leaving historians to forever debate who the true victors were. Whatever be the answer, though, most note that the spirit of the Legal Ass will roll on restlessly until it reaches a cliff or a wall, when it will crash and break.

DEMI-TOUGH

It was with demigod grace that I lolled on those Aegean banks, sand sifting between bronzed toes, gentle hands of Athena stroking my golden, flowing locks. Apparently she'd had business in the ionosphere and came down, just for the day, to encourage me with the news that the boys upstairs seemed to think I was coming along smoothly.

Not long ago I'd come to this place a hero of sorts, with my sights set on godliness. Gods, it appeared, were the movers and the shakers; to become one was to open the door to accomplishment. Why not go for it, my old pals said: once you're a hero, you're a shoe-in for god. Oh, you'd go through a little boot camp, sure, but most who'd tried were raised to the heavens in good time. Three years was the inside scoop, and that made sense, for deminess had come after a

year and a half. Furthermore, as my glowing maiden now related, the demiward tribulations were the rough waters of godstriving; the remainder was no more than a stretch of beach for the lolling while you waited for the papers to come through. Don't walk away, don't eat many bad shellfish, and you're in.

Nighttime fell upon us and I begged her to stay. I wasn't quite lonely; I wasn't quite bored; sure, she was a goddess, but she was no Aphrodite and I wasn't quite gaga for her; I think I needed someone to talk to. Self-reflection takes you only so far, especially when you're in a nebulous phase; with the help of this magnificently defined gem, perhaps my own godward definitions could be drawn out a bit. She agreed to. I think she was bored.

The stars emerged soon, the signposts of my future ascension, examples, in fact, of what I would become. Yes, *become*, mortal. *Estellation*, as we call it in the business, or *constellation*, maybe, if you're pretty special. Shit, Andromeda's a galaxy, I don't know. But, if what this celebrated wench whose lap was cradling my head was saying was true, that was my expected dominion up there, and everyone knows once selected you get to pick your own neighborhood. And sitting around picking was about the only thing to do these days. Athy broached the subject.

"What shall it be, my little hero? A cozy spot near--"

"Demi--"

"--near Orion's Money-Belt? That's becoming quite popular, you know. As you can see, it's very well lit."

It was at that, just as any sane mortal might expect. But to be *agod*, I thought, *must* be more than fourteen carat space-dust.

"What of the other end of the sky?" I queried, ruffling up her gilt gown (come to think of it, she wasn't wearing any gown--yeah, that's the ticket--I mean chafing

her thighs and belly) as I swivelled my far-focused head, she grunting and readjusting, I pointing to recapture her attention. "Yonder heaven-form, Publicus, the beggar-client, garners much talk among heroes. Yet few stars populate his turf."

"An honorable choice, my young lion. You'll do well there."

"But can I not have multiple dwellings? Is it forbidden to enjoy the light of Orion while illuminating a darker spot near Publicus? Cannot any god worth his salt do it all?"

"Measure the distance, saline one, between the two. The former in the summer sky, the latter in the winter, and as one revolves, so moves the other. Oh, I guess you could do it, but you'd spend all your time travelling and never come close to clearing your desk."

I arose and grabbed my celestial beachbaby by the shoulders, shaking her with righteous frustration.

"You shall be witness, goddess-in-residence, to stellar revolution! Look, espy mighty Pegasus, drinking idly from the troughs of Aquarius, precisely between the poles in question! I shall mount her, and daily we shall fly between alpha and zeta, reconciling the dark with the light!"

Athy blanched, but recomposed gracefully as she spoke.

"I must leave you now, my rabid housepet; godspeed, and when you make the grade, look me up, will you?"

I bade her farewell, in due course bidding my earthliness farewell, too, in favor of heavenward promotion. And behold, all mortals, the skies, if you will: is there not a new light both serving the dark and gaining brilliance at luxury's fountain? Is there not, yea, a stellar arc now bridging the money-belt and the beggar-client, an intersky highway forged boldly by winged hoofbeat, a Milky Way of milk and honey flowing from the stellar nether-regions?

I'm Joel Hyatt, and you have my word on it.

Notices

Student Funded Fellowships—SFF will be holding a meeting for all those interested in helping out in this year's campaign drive. The meeting will be held on Monday, February 16th, at 4 p.m. in Room 132. There's lots to do, and many ways you can contribute, so please get involved.

"Bar Review"—The first locale of Bar Review will be at the Count of Antipasto from 9:30 p.m.-1:00 a.m. today (Feb 11). Drink specials will run throughout the evening. Just show your law school I.D. to the bartender. Other bars to be reviewed this year may include Rick's, Uno's, the U Club, Dominick's, Cottage Inn, and Brandy's.

NLG Annual Bowling Night—Second annual Kulko-Slater Memorial bowling tournament will be Thursday night for all present and prospective Guild members. We'll mix business meeting, bowling, and bar night into one. Meet in the NLG office at 9 pm Thursday.

Clerkship Panel Discussion—Clerks from Federal Appellate and District Courts and a State Supreme Court will describe the work they do and answer questions on Monday, Feb. 16, from 12:15-1:00 in Room 120.

Clerkship Question and Answer Session with Faculty—Tuesday, Feb. 17, from 12:15-1:00 in Room 120.

EARN MONEY WHILE YOU ROUND OUT YOUR RESUME

Clinical Law organization needs corporate fundraiser. Compensation increases as a percentage of money raised.

Flexible Work Schedule Immediate Opening

Call Sally Rutsky at 668-1524
for further information.

Speaker—Detroit criminal defense attorney Otis Culpepper will give a talk on Lawyer's Fee Denial in drug-ring cases and on related topics, followed by a question/answer period, Thursday, February 19, at 4:00 p.m. in room 120. Sponsored by the ACLU.

ELS Happy Hour—Join members of the Environmental Law Society for an informal gathering and meeting with Professor Abrams, from Wayne State, who is teaching Water Law here this semester.

Where: The U Club
When: 4:30 pm Thursday

Feature

"The Legal Ass" and Other Classic Shit

By Bob Mullen

ABRA CADABRA

I barely noticed the glimmer in the merchant's eye as he produced for me the worn and rusted urn, quickly exchanging it for my three sacks of grain. I mean, old urn busts, you get a new one--what cause for glimmer? But the afternoon was hot and dusty, even for Baghdad, and little beyond my own parched throat and blistered feet drew my attention as I started back east toward the village of my people. I rubbed the urn a couple of times.

"I shall grant you three wishes, master." It was a genie.

"How about getting me into a good law school?"

"So be it. Do you desire a location of particular attribute? You may have palm trees or even city lights, you know."

"Will it count as a wish?"

"Of course."

"Then forget it."

"Very well. U of M. Sucker. What else shall you desire?"

"How about law review?"

"A wish, not a miracle."

I was at a loss for another request, so the genie made a suggestion: "Tell ya what. Should you harbor true interest in trenchant legal commentary, should you have the strength to produce reliably and without getting too silly, and should you care to have others actually read your work, have I got the publication for you."

"Does it have pictures?"

"Sometimes."

"Sure, O.K. What the hell."

"It is done."

"One more wish, right?"

"As you shall deem it."

Realizing there was no loftier pinnacle of achievement to be had in these crude environs, I commanded the genie inward, not to be solicited again until the day of my graduation. The day came; I gave the urn a rub.

"At your service, master. I'm not rushing you, am I?"

"Oh, come on, it was only a couple years. You're a genie--you can go eons. Ready? Here's the last wish."

"Here's the last wish? Just like that? I snap my fingers? No gratitude, no appreciation of my magic? You think I don't sweat for you? You think it's all fun and games, looking up formulas in those little genie primers? And you--too cheap to get me the pocket parts, to stupid to ever ask for anything you don't need modern statutory interpretation for. This genie stuff, I don't know. Even when I get the occasional good wish, it's you all who reap

the fruit. Me, the glorified taxi driver, lucky to drop you off at a party I cannot enter. Oh, I know. I didn't have to enter this line of work. But *Genie*. The romance, the image. I'll tell you, though, the taffeta gets old quick. Hotshitfuckingenie. So what's your wish?"

"If it's not too much trouble, partnership. You know--corner office, my own paintings, honor and respect."



"Your wish is my command. Fare thee well, and should you get any ideas of passing me on to another, dispense with them at once: henceforth I shall become three blue balls and two red balls, like my father before me."

Happy to have gotten what I'd sought in life the easy way, I settled into my leather armchair and took a message from my secretary: "You have a client on line four."

I picked up the phone and greeted him: "Your wish is my command."

THE LEGAL ASS

The battle raged; Lawyer troops sallied forth in endless waves, each oblivious to the mounting casualties suffered at the hands of the steadfast Layman army. Lesser in number, the Laymen had proved stronger foes than the Lawyers once surmised; finally, however, the unremitting Legal assaults began to take effect, driving the Laymen deeper into their own territory. At nightfall Lay leaders met, devising a unique scheme. Daybreak came, and, to the consternation of Legal minds, no Lay army remained for the battling. Left only to follow the hurried tracks of the Lay forces, the Lawyers came finally to the largest city of their adversary, but not as it had been: as their eyes beheld it, the last stone was being placed atop a great encircling wall, too high for the Lawyers to scale and too firm to be pierced by cannon or ram.

The Lawyers despaired; each knew that no victory could be declared until they had seized what the Laymen had taken away. Mere vanquishment of the Lay army was not enough; territorial advance inconsequential: what the Laymen must relinquish was the prize of the Legal world, and her name was Patronage. Without her the Lawyers would starve and wither, but with her, and with the convention that victors write history, the Lawyers could return to their offices claiming triumph over the Clients.

Bleak though their chances seemed, the Lawyers were not without guile of their own. Come nightfall they began construction of a vehicle which, they hoped, see ODYSSEY page SEVEN

Law in the Raw

BY DOUG GRAHAM AND TIM THOMPSON

KIDDING AROUND

J. B. McDonald, an attorney for the Ethyl Corporation, was talking to one of his 5 year old son's classmates. The conversation turned to employment:

Child: "What do you do for a living?"

McDonald: "I'm a lawyer"

Child: "My daddy works for McGuire, Woods & Battle."

McDonald: "I work for a big corporation."

Child: "Oh, my daddy just works for the money."

ABA Journal, Jan. 1, 1987

LEGAL "ETHICS"

A professor at Hofstra University Law School posed the following hypothetical to his ethics class:

"Your client has just been convicted. He comes to you and says, 'I have one last research job for you. Please give me a list of South American countries that do not have extradition treaties with the United States.' As an ethical lawyer what do you do?"

One student raised her hand and said she needed more facts. The professor asked the student what else she needed to know. The student replied: "Has he paid my fee?"

ABA Journal, Dec. 1986

COMMERCIAL LITIGATION

A \$150 million lawsuit claims that the dancing raisins stepping to the tune of "I Heard it Through the Grapevine," used by California growers to promote the sale of raisins, is a copyright violation of Robert Reiter's "Raisin People". The Raisin People were created by Reiter in 1983 to help sell raisin products distributed by his Plattsburgh, N.Y. company. The Californian growers claim Mr. Reiter's suit is merely a case of "sour grapes" because the commercials have been so well-received and have increased sales. One grower queries, "Does [Reiter] think he's the first one who ever made a picture of animated raisins?" We hardly think so.

Wall Street Journal, Jan. 21, 1987